

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT

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In Re:

Case No. 18-10536-CAB  
(Chapter 13)

JAY E JIPNER DBA PRESIDENT OF  
ROBINSON FUELS, INC. DBA  
MEMBER OF HART AND MEAD  
ENERGY, LLC DBA MEMBER OF ALL  
STAR FUEL, LLC,

Debtor.

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**OBJECTION TO CONFIRMATION**

TD Auto Finance LLC, by its counsel, SCHILLER, KNAPP, LEFKOWITZ & HERTZEL, LLP, as and for an Objection to Confirmation of the debtor's Chapter 13 Plan, states the following grounds therefor:

1. On December 24, 2018, the debtor's, above-named, filed a voluntary petition in bankruptcy under Title 11, Chapter 13, U.S.C., United States Bankruptcy Court for the District of Vermont.
2. The Court has jurisdiction to entertain this objection under 28 U.S.C., Section 157.
3. Objectant, TD Auto Finance LLC (hereinafter "TDAF"), is the holder of a properly perfected first-in-right purchase money security interest in one (1) 2014 GMC Savanna (V.I.N. 1GTW7FCA4E1101489) owned by and upon information and belief, in the possession and control of the debtor. Copies of the Retail Installment Contract and Notice of Recorded Lien are annexed hereto as Exhibit "A" and made a part hereof.
4. TDAF hereby objects to confirmation of the debtor's Plan upon the grounds the Plan does not propose to pay the secured claim of TDAF. Without appropriate treatment of all secured claims, the Plan fails to satisfy the provisions of Sections 1322 and 1325 and cannot be confirmed.
5. No prior application for the relief requested herein has been made.

WHEREFORE, TD Auto Finance LLC respectfully requests that the Court deny confirmation of the debtor's Chapter 13 Plan for the reasons hereinabove set forth unless modified to reflect the proper treatment of its claim as detailed above and for such other and further relief as to the Court may seem just and proper.

DATED: January 22, 2019

/s/ Martin A Mooney

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